



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

AUG 28 2015

OFFICE OF  
CIVIL RIGHTS

**RETURN RECEIPT REQUESTED**

Certified Mail #: 7015 0640 0006 0305 6827

**In Reply Refer To:**

EPA File No: 18r-14-R4

The Honorable Beth Ogletree, Mayor  
City of Flovilla  
308 Heard Street  
Flovilla, Georgia 30216

**Re: Rejection of Administrative Complaint**

Dear: Ms. Ogletree:

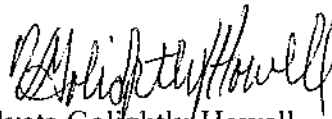
The U.S. Environmental Protection Agency (EPA), Office of Civil Rights (OCR), reviewed the referenced complaint dated October 23, 2014. It alleges that the City Flovilla retaliated against (b) (6) - Privacy the Complainant, for "raising concerns about poor and questionable quality of drinking water, employees receiving pay or being compensated for time off when they had no accrued leave, and employees not receiving proper training or adequate supplies to ensure the (sic) safety in performing duties." OCR is responsible for processing administrative complaints alleging discrimination by EPA recipients of financial assistance that are filed under EPA's implementing regulations codified at 40 Code of Federal Regulations (C.F.R.) Part 7.

Pursuant to the EPA's nondiscrimination regulations, the OCR conducts a preliminary review of administrative complaints for acceptance, rejection, or referral to an appropriate agency. See 40 C.F.R. § 7.120(d) (1). For a complaint to be accepted for investigation, it must meet the jurisdictional requirements described in the EPA's nondiscrimination regulations. First, the complaint must be in writing. See 40 C.F.R. § 7.120(b) (1). Second, the complaint must describe an alleged discriminatory act that, if true, would violate the EPA's nondiscrimination regulations (*i.e.*, an alleged discriminatory act based on race, color, national origin, sex, age, or disability). See 40 C.F.R. § 7.120(b)(1). Third, the complaint must be filed within 180 calendar days of the alleged discriminatory act. See 40 C.F.R. § 7.120(b)(2). Finally, the complaint must be filed against an applicant for, or a recipient of, EPA financial assistance that allegedly committed the discriminatory act. See 40 C.F.R. § 7.15. As part of its review, the OCR sent a request for clarification to the Complainant, requesting a response within fifteen days of its receipt. He failed to respond, and there is insufficient information in the record to establish OCR's jurisdiction.

Thus, after careful review, the OCR is rejecting the subject complaint. Among other things, it did not allege discrimination on the basis of race, color, national origin, sex, age, or

disability by a recipient of EPA financial assistance. And, to the extent that the complaint alleged retaliation, the Complainant did not allege that he was retaliated against for opposing an act of discrimination by, or for participating in a discrimination complaint grievance process of a recipient of EPA financial assistance. Accordingly, OCR must reject his complaint. If you have any questions about this letter, please contact, Samuel Peterson, Case Manager, by telephone at (202) 564-5393 or via email at [peterson.samuel@epa.gov](mailto:peterson.samuel@epa.gov).

Sincerely,



Velveta Golightly-Howell  
Director  
Office of Civil Rights

cc: Elise Packard  
Associate General Counsel  
Civil Rights & Finance Law Office  
(MC 2399A)

Vicki Tellis  
Acting Assistant Regional Administrator, Deputy Civil Rights Official  
Region IV  
(MC 9T25)